

**United States Bankruptcy Court  
For the Eastern District of Texas  
Sherman Division**

|                  |                     |
|------------------|---------------------|
| IN RE:           | ) Case No. 02-44062 |
|                  | )                   |
| C. L. TALLEY AND | )                   |
| R. M. TALLEY     | )                   |
| Debtor(s)        | ) Chapter 7         |

Trustee's Final Report, Application for Compensation,  
and Report of Proposed Distribution

CHRISTOPHER J. MOSER, the Trustee of the estate of the above named debtor(s), certifies under penalty of perjury, to the Court and United States Trustee, that the trustee has faithfully and properly fulfilled the duties of his office, that the trustee has examined all proofs of claim as appropriate in preparation for the proposed distribution, and that the proposed distribution attached hereto is proper and consistent with the law and rules of the Court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document, once filed, constitutes my valid signature for the purposes of 11 U.S.C. §704(9) and Fed. R. Bankr. Pro. 9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation, and Report of Proposed Distribution be approved.

Date: January 3, 2005

/s/ Christopher J. Moser, Trustee  
Christopher J. Moser, Trustee

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

|                  |   |                   |
|------------------|---|-------------------|
| IN RE:           | § |                   |
|                  | § | CASE NO. 02-44062 |
| C. L. TALLEY AND | § | (Chapter 7)       |
| R. M. TALLEY     | § |                   |
| DEBTOR(S)        | § |                   |

**TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE**  
**CASE AND DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced monies from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I. as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II. as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The Trustee has examined each and every claim filed and noted his approval of claims as filed, or he has filed objections to allowance or requests for reclassification.

SCHEDULE A-1

Case Name: C. L. Talley & R. M. Talley

Case Number: 02-44062

A. Receipts----- \$66,798.82

B. Disbursements

1. Secured Creditors----- 0

2. Administrative----- \$20,270.63

3. Priority----- 0

4. Other----- 0

Total Disbursements----- \$20,270.63

C. Current Balance----- \$46,528.19

# FORM 1 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

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Case No: 02-44062 BTR Judge: BRENDA T. RHOADES  
Case Name: TALLEY, C L  
TALLEY, R M

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 07/22/02 (f)  
341(a) Meeting Date: 09/13/02  
Claims Bar Date: 12/26/02

For Period Ending: 01/03/05

| 1   | 2                                  | 3   | 4   | 5                                       | 6   |
|---|------------------------------------|---|---|---|---|
| Asset Description<br>(Scheduled and Unscheduled (u) Property)   | Petition/<br>Unscheduled<br>Values | Estimated Net Value<br>(Value Determined by Trustee,<br>Less Liens, Exemptions,<br>and Other Costs) | Property<br>Abandoned<br>OA=554(a) Abandon<br>DA=554(c) Abandon | Sale/Funds<br>Received by<br>the Estate | Asset Fully Administered (FA)/<br>Gross Value of Remaining Assets |
| 1. Homestead<br>7332 FM 35, Hunt Co.; Schedules were amended on 10/11/02 changing the market value to \$104,390.00. Order Sustaining Trustee's Objections to Amended Exemptions was entered on 11/13/02, which denied debtors' homestead exemption. Order entered on Jan. 27, 2004 authorized the sell of asset items #1, 4, 16, 17 & 25 for \$25,000.00 to Gary Havener. Proceeds posted to item # 1.  | 104,390.00                         | 20,000.00   |   | 25,000.00                               | FA  |
| 2. 9356 FM 35, Royce City, TX<br>House at 9356 FM 35, Royce City, TX 75189, sold on contract for deed to Mark & Sherry Melton in 1996 - financed for 15 yrs. with 7 yrs remaining on receivable. Schedules were amended on October 11, 2002, resulting in this asset being moved from schedule A to schedule B: other personal property: note receivable from Mark & Sherry Melton, purchasers of the real estate located at 9356 FM 35, Royce City, TX 75189. Financed for 15 yrs - 7 yrs remaining on receivable. Order Sustaining Trustee's Objections to Amended Exemptions was entered on 11/13/02, which denied debtors' exemption. Per order entered on 2/5/03, the mortgage note & deed of trust were sold to Mr. Bob Buss for 80% of the unpaid balance of \$45,968.60, resulting in a sell amount of \$36,774.88. | 21,500.00                          | 36,774.88   |   | 36,774.88                               | FA  |
| 3. CASH<br>Debtor Claimed 100% Exemption on Schedule C  | 100.00                             | 0.00  |   | 0.00                                    | FA  |
| 4. Certificate of Deposit<br>Mesquite Credit Union; Order Sustaining Trustee's Objections to Amended Exemptions was entered on 11/13/02, which denied debtors' exemption. Liens may apply. Order entered on Jan. 27, 2004 authorized the sell of asset items #1, 4, 16, 17 & 25 for \$25,000.00 to Gary Havener. Proceeds posted to item # 1.   | 10,000.00                          | 0.00  |   | 0.00                                    | FA  |
| 5. Bank Accts.  | 300.00                             | 0.00  |   | 0.00                                    | FA  |

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

Page: 2

Case No: 02-44062 BTR Judge: BRENDA T. RHOADES  
Case Name: TALLEY, C L  
TALLEY, R M

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 07/22/02 (f)  
341(a) Meeting Date: 09/13/02  
Claims Bar Date: 12/26/02

| 1   | 2                                  | 3   | 4   | 5                                       | 6   |
|---|------------------------------------|---|---|---|---|
| Asset Description<br>(Scheduled and Unscheduled (u) Property)   | Petition/<br>Unscheduled<br>Values | Estimated Net Value<br>(Value Determined by Trustee,<br>Less Liens, Exemptions,<br>and Other Costs) | Property<br>Abandoned<br>OA=554(a) Abandon<br>DA=554(c) Abandon | Sale/Funds<br>Received by<br>the Estate | Asset Fully Administered (FA)/<br>Gross Value of Remaining Assets |
| Debtor Claimed 100% Exemption on Schedule C                     |                                    |   |   |   |   |
| 6. HOUSEHOLD GOODS  | 1,650.00                           | 0.00  |   | 0.00                                    | FA  |
| Debtor Claimed 100% Exemption on Schedule C                     | 500.00                             | 0.00  |   | 0.00                                    | FA  |
| 7. WEARING APPAREL  |                                    |   |   |   |   |
| Debtor Claimed 100% Exemption on Schedule C                     | 675.00                             | 0.00  |   | 0.00                                    | FA  |
| 8. FURS AND JEWELRY   |                                    |   |   |   |   |
| Debtor Claimed 100% Exemption on Schedule C                     |                                    |   |   |   |   |
| 9. FIREARMS AND HOBBY EQUIPMENT                                 | 250.00                             | 0.00  |   | 0.00                                    | FA  |
| Debtor Claimed 100% Exemption on Schedule C                     |                                    |   |   |   |   |
| 10. RETIREMENT PLANS  | Unknown                            | 0.00  |   | 0.00                                    | FA  |
| monthly pension from Otis Elevator (1,464.38/ monthly)          |                                    |   |   |   |   |
| Debtor Claimed 100% Exemption on Schedule C                     |                                    |   |   |   |   |
| 11. RETIREMENT PLANS  | Unknown                            | 0.00  |   | 0.00                                    | FA  |
| Union pension - \$280.43 / month benefit                        |                                    |   |   |   |   |
| Debtor Claimed 100% Exemption on Schedule C                     |                                    |   |   |   |   |
| 12. Social Security Benefits                                    | Unknown                            | 0.00  |   | 0.00                                    | FA  |
| Petitioner = \$1,063.00 monthly                                 |                                    |   |   |   |   |
| Co-Petitioner = \$493.00 monthly                                |                                    |   |   |   |   |
| Debtor Claimed 100% Exemption on Schedule C                     |                                    |   |   |   |   |
| 13. 1999 Chevrolet Van  | 9,000.00                           | 0.00  | DA  | 0.00                                    | FA  |
| No Equity   |                                    |   |   |   |   |
| 14. 4-wheeler   | 1,500.00                           | 0.00  | DA  | 0.00                                    | FA  |
| No Equity   |                                    |   |   |   |   |
| 15. 1986 GMC pickup   | 1,500.00                           | 0.00  |   | 0.00                                    | FA  |
| Debtor Claimed 100% Exemption on Schedule C                     |                                    |   |   |   |   |
| 16. 1978 Chevrolet farm truck                                   | 0.00                               | 0.00  |   | 0.00                                    | FA  |
| Order Sustaining Trustee's Objections to Amended Exemptions was |                                    |   |   |   |   |

**FORM 1**  
**INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT**  
**ASSET CASES**

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Case No: 02-44062 BTR Judge: BRENDA T. RHOADES  
Case Name: TALLEY, C L  
TALLEY, R M

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 07/22/02 (f)  
341(a) Meeting Date: 09/13/02  
Claims Bar Date: 12/26/02

| 1  | 2                                  | 3   | 4   | 5                                       | 6   |
|--|------------------------------------|---|---|---|---|
| Asset Description<br>(Scheduled and Unscheduled (u) Property)  | Petition/<br>Unscheduled<br>Values | Estimated Net Value<br>(Value Determined by Trustee,<br>Less Liens, Exemptions,<br>and Other Costs) | Property<br>Abandoned<br>OA=554(a) Abandon<br>DA=554(c) Abandon | Sale/Funds<br>Received by<br>the Estate | Asset Fully Administered (FA)/<br>Gross Value of Remaining Assets |
| entered on 11/13/02, which denied debtors' exemption. Order entered on Jan. 27, 2004 authorized the sell of asset items #1, 4, 16, 17 & 25 for \$25,000.00 to Gary Havener. Proceeds posted to item # 1.<br><br>17. 26 Head cattle<br><br>Order Sustaining Trustee's Objections to Amended Exemptions was entered on 11/13/02, which denied debtors' exemption. Order entered on Jan. 27, 2004 authorized the sell of asset items #1, 4, 16, 17 & 25 for \$25,000.00 to Gary Havener. Proceeds posted to item # 1. | 8,000.00                           | 0.00  |   | 0.00                                    | FA  |
| 18. 19?? John Deer tractor & implements<br>No Equity   | 12,000.00                          | 0.00  | DA  | 0.00                                    | FA  |
| 19. Post Petition Notes Pymt- Asset #2 (u)<br>Received 10/15/02; contract for deed to Mark & Sherry Melton see item #2   | Unknown                            | N/A   |   | 649.84                                  | FA  |
| 20. Post Petition Notes Pymt- Asset #2 (u)<br>Received 12/10/02; contract for deed to Mark & Sherry Melton see item #2   | Unknown                            | N/A   |   | 649.84                                  | FA  |
| 21. Post Petition Notes Pymt- Asset #2 (u)<br>Received 12/16/02; contract for deed to Mark & Sherry Melton see item #2   | Unknown                            | N/A   |   | 649.84                                  | FA  |
| 22. Post Petition Notes Pymt- Asset #2 (u)<br>Received 1/6/03; contract for deed to Mark & Sherry Melton see item #2   | Unknown                            | N/A   |   | 649.84                                  | FA  |
| 23. Post Petition Notes Pymt- Asset #2 (u)<br>Received 2/6/03; contract for deed to Mark & Sherry Melton see item #2   | Unknown                            | N/A   |   | 649.84                                  | FA  |
| 24. Post Petition Notes Pymt- Asset #2 (u)<br>Per Order Sustaining Trustee's Objections to Amended Exemptions entered on 11/13/02, the debtors are to turnover to the trustee funds  | Unknown                            | 0.00  | DA  | 0.00                                    | FA  |

# FORM 1 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT ASSET CASES

Page: 4

Case No: 02-44062 BTR Judge: BRENDA T. RHOADES  
Case Name: TALLEY, C L  
TALLEY, R M

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 07/22/02 (f)  
341(a) Meeting Date: 09/13/02  
Claims Bar Date: 12/26/02

| 1   | 2                                  | 3   | 4   | 5                                       | 6   |
|---|------------------------------------|---|---|---|---|
| Asset Description<br>(Scheduled and Unscheduled (u) Property)   | Petition/<br>Unscheduled<br>Values | Estimated Net Value<br>(Value Determined by Trustee,<br>Less Liens, Exemptions,<br>and Other Costs) | Property<br>Abandoned<br>OA=554(a) Abandon<br>DA=554(c) Abandon | Sale/Funds<br>Received by<br>the Estate | Asset Fully Administered (FA)/<br>Gross Value of Remaining Assets |
| from three note payments totaling \$1,949.52, which the debtors collected post petition.  | 0.00                               | 0.00  |   | 0.00                                    | FA  |
| 25. 14.65 Acres in Quinlan, TX (u)<br>Adversary 04-04085 was filed on March 30, 2004 regarding a post petition transfer of this asset. Order entered on Jan. 27, 2004 authorized the sell of asset items #1, 4, 16, 17 & 25 for \$25,000.00 to Gary Havener. Proceeds posted to item # 1. | Unknown                            | N/A   |   | 539.84                                  | FA  |
| 26. Post Petition Rent Pymt - Asset #25 (u)<br>Received 7/25/03; Rent payment received from Corina Ruiz   | Unknown                            | N/A   |   | 539.84                                  | FA  |
| 27. Post Petition Rent Pymt - Asset #25 (u)<br>Received 9/17/03; Rent payment received from Corina Ruiz   | Unknown                            | N/A   |   | 539.84                                  | FA  |
| 28. Post Petition Rent Pymt - Asset #25 (u)<br>Received 3/30/04; Rent payment received from Corina Ruiz   | Unknown                            | N/A   |   | 155.22                                  | Unknown   |
| INT. Post-Petition Interest Deposits (u)  |                                    |   |   |   |   |

TOTALS (Excluding Unknown Values) \$ 171,365.00 \$ 56,774.88 \$ 66,798.82 Gross Value of Remaining Assets \$0.00  
(Total Dollar Amount in Column 6)

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Quilling, Selandier, Cummiskey & Lownds, P.C. is employed to represent the trustee. The trustee is a partner in the same firm. Litzler, Segner, Shaw, & McKenney, LLP is employed as accountants. On Oct. 16, 2002, Order on Trustee's Objections to Exemptions disallowed the debtors exemption to item #2. Order Sustaining Trustee's Objections to Amended Exemptions was entered on 11/13/02, which required the debtors to immediately pay the trustee a sum of \$1,949.52 (asset item #24), for post petition note payments collected with respect to asset item #2. The trustee is abandoning asset #24. The same order denied the debtors' exemptions on items #1, 2, 4, 16 & 17. On Feb. 5, 2003, Order Granting Motion to Sell Property granted the sell of item #2. On March 25, 2003, Agreed Order with respect to the Trustee's Objection to Claim #2 was entered. On March 27, 2003,

FORM 1  
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT  
ASSET CASES

Case No: 02-44062 BTR Judge: BRENDA T. RHOADES  
Case Name: TALLEY, C L  
TALLEY, R M

Trustee Name: CHRISTOPHER J. MOSER  
Date Filed (f) or Converted (c): 07/22/02 (f)  
341(a) Meeting Date: 09/13/02  
Claims Bar Date: 12/26/02

Order Regarding Proof of Claim #1 was entered, disallowing the claim. On Oct. 22, 2003, Order Granting Motion to Extend Bar Date was granted to creditor, Armet Dale Street LP, claim # 13. On Jan. 27, 2004, Order Authorizing Trustee to Sell Property (items # 1, 4, 16, 17 & 25) to Gary Havener for \$25,000.00 was entered. On May 12, 2004, Judgment Avoiding Transfer was entered in the Adversary Case #04-04085, with respect to asset item #25, so that the Trustee can resolve deed issues and collect the sell proceeds from Mr. Havener. All claims orders have been entered. Per debtors' request, bank statements have been returned to the debtors. Tax returns were filed with the Internal Revenue Service and no taxes were due.

Initial Projected Date of Final Report (TFR): 05/01/05 Current Projected Date of Final Report (TFR): 01/03/05



## FORM 2

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## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 02-44062 BTR Trustee Name: CHRISTOPHER J. MOSER  
Case Name: TALLEY, C L Bank Name: BANK OF AMERICA, N.A.  
TALLEY, R M Account Number: \*\*\*\*\*9801 BofA - Money Market Account  
Taxpayer ID No: \*\*\*\*\*2376  
For Period Ending: 01/03/05 Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

| 1                | 2                  | 3   | 4   | 5        | 6             | 7                  |                      |
|------------------|--------------------|---|---|----------|---------------|--------------------|----------------------|
| Transaction Date | Check or Reference | Paid To / Received From   | Description Of Transaction  | UTC      | Deposits (\$) | Disbursements (\$) | Account Balance (\$) |
| 10/15/02         | 19                 | Sherri D. Melton<br>9356 FM 35  | House pymt  | 1121-000 | 649.84        |                    | 649.84               |
| 10/31/02         | INT                | Royce City, TX 75189<br>BANK OF AMERICA, N.A.   | Interest Rate 1.200   | 1270-000 | 0.30          |                    | 650.14               |
| 11/29/02         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.850   | 1270-000 | 0.52          |                    | 650.66               |
| 12/10/02         | 20                 | Sherri D. Melton<br>9356 FM 35  | House Pymt  | 1121-000 | 649.84        |                    | 1,300.50             |
| 12/16/02         | 21                 | Royce City, TX 75189<br>SHERRI D. MELTON<br>9356 FM 35                                    | HOUSE PYMT  | 1121-000 | 649.84        |                    | 1,950.34             |
| 12/31/02         | INT                | ROYSE CITY, TX 75189<br>BANK OF AMERICA, N.A.   | Interest Rate 0.850   | 1270-000 | 0.96          |                    | 1,951.30             |
| 01/06/03         | 22                 | Sherri D. Melton<br>9356 Fm 35  | Jan 2003 - House Pymt   | 1121-000 | 649.84        |                    | 2,601.14             |
| 01/31/03         | INT                | Royce City, TX 75189<br>BANK OF AMERICA, N.A.   | Interest Rate 0.850   | 1270-000 | 1.76          |                    | 2,602.90             |
| 02/06/03         | 23                 | Sherri D. Melton<br>9356 FM 35  | Feb 2003 House Pymt   | 1121-000 | 649.84        |                    | 3,252.74             |
| 02/27/03         | 2                  | Royce City, TX 75189<br>Robert P. Buss<br>10631 Rolling Hills Dr.<br>Little Elm, TX 75068 | Purchase of Melton Promissory Note<br>Per order entered on 2/5/03, the mortgage note & deed of trust were sold to Mr. Bob Buss for 80% of the unpaid balance of \$45,968.60, resulting in a sell amount of \$36,774.88. | 1121-000 | 36,774.88     |                    | 40,027.62            |
| 02/28/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.850   | 1270-000 | 1.98          |                    | 40,029.60            |
| 03/31/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.500   | 1270-000 | 14.54         |                    | 40,044.14            |
| 04/30/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.500   | 1270-000 | 16.46         |                    | 40,060.60            |
| 05/30/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.500   | 1270-000 | 17.00         |                    | 40,077.60            |
| 06/30/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.500   | 1270-000 | 16.48         |                    | 40,094.08            |
| 07/25/03         | 27                 | Corina (sp?) Ruiz   | Rent from unscheduled land #25  | 1222-000 | 500.00        |                    | 40,594.08            |

## FORM 2

Page: 2

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 02-44062 BTR  
Case Name: TALLEY, C L  
TALLEY, R M  
Taxpayer ID No: \*\*\*\*\*2376  
For Period Ending: 01/03/05

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF AMERICA, N.A.  
Account Number: \*\*\*\*\*9801 BofA - Money Market Account

Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

| 1                | 2                  | 3   | 4                              | 5        | 6             | 7                  |
|------------------|--------------------|---|--------------------------------|----------|---------------|--------------------|
| Transaction Date | Check or Reference | Paid To / Received From   | Description Of Transaction     | UTC      | Deposits (\$) | Disbursements (\$) |
| 07/25/03         | 27                 | 4853 Hwy 276 W.<br>Royce City, TX 75189<br>Corina (sp?) Ruiz<br>4853 Hwy 276 W.<br>Royce City, TX 75189 | Rent from undisclosed land     | 1222-000 | 39.84         | 40,633.92          |
| 07/31/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.200            | 1270-000 | 6.81          | 40,640.73          |
| 08/29/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.200            | 1270-000 | 6.90          | 40,647.63          |
| 09/17/03         | 28                 | Corina Ruiz<br>4853 Hwy 276 W.<br>Royce City, TX 75189  | Rent from unscheduled land #25 | 1222-000 | 500.00        | 41,147.63          |
| 09/17/03         | 28                 | Corina Ruiz<br>4853 Hwy 276 W.<br>Royce City, TX 75189  | Rent from unscheduled land #25 | 1222-000 | 39.84         | 41,187.47          |
| 09/30/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.200            | 1270-000 | 6.71          | 41,194.18          |
| 10/31/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.200            | 1270-000 | 7.00          | 41,201.18          |
| 11/28/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.200            | 1270-000 | 6.77          | 41,207.95          |
| 12/31/03         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.100            | 1270-000 | 3.50          | 41,211.45          |
| 01/30/04         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.100            | 1270-000 | 3.49          | 41,214.94          |
| 02/27/04         | INT                | BANK OF AMERICA, N.A.   | Interest Rate 0.100            | 1270-000 | 3.26          | 41,218.20          |
| 03/01/04         | 000301             | North Texas Title<br>5408-A Wesley Street<br>Greenville, TX 75402                                       | Per Order entered on 2/24/04   | 2990-000 |               | 270.63             |
| 03/30/04         | 26                 | Corina Ruiz<br>4853 Hwy. 276 W.<br>Royce City, TX 75189   | Rent from unscheduled land #25 | 1222-000 | 500.00        | 41,447.57          |
| * 03/30/04       | 25                 | Corina Ruiz<br>4853 Hwy. 276 W.<br>Royce City, TX 75189   | Rent Payment                   | 1222-003 | 500.00        | 41,947.57          |
| * 03/30/04       | 25                 | Corina Ruiz<br>4853 Hwy. 276 W.   | Rent Payment                   | 1222-003 | -500.00       | 41,447.57          |

Page Subtotals

1,124.12

270.63

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 02-44062 BTR Trustee Name: CHRISTOPHER J. MOSER  
Case Name: TALLEY, C L Bank Name: BANK OF AMERICA, N.A.  
TALLEY, R M Account Number: \*\*\*\*\*9801 BofA - Money Market Account  
Taxpayer ID No: \*\*\*\*\*2376  
For Period Ending: 01/03/05  
Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

| 1<br>Transaction<br>Date | 2<br>Check or<br>Reference | 3<br>Paid To / Received From   | 4<br>Description Of Transaction | UTC      | 5<br>Deposits (\$) | 6<br>Disbursements (\$) | 7<br>Account<br>Balance (\$) |
|--------------------------|----------------------------|--|---------------------------------|----------|--------------------|-------------------------|------------------------------|
| 03/30/04                 | 26                         | Royce City, TX 75189   | Rent from unscheduled land #25  | 1222-000 | 39.84              |                         | 41,487.41                    |
| 03/31/04                 | INT                        | Corina Ruiz  | Interest Rate 0.100             | 1270-000 | 3.48               |                         | 41,490.89                    |
| 04/30/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 3.39               |                         | 41,494.28                    |
| 05/28/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 3.51               |                         | 41,497.79                    |
| 06/01/04                 | 1                          | Arnet Dale St. Ltd. Partnership - 280<br>6100 Western Place, Suite 905<br>Fort Worth, TX 76107 | Settlement                      | 1249-000 | 25,000.00          |                         | 66,497.79                    |
| 06/30/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 5.23               |                         | 66,503.02                    |
| 07/27/04                 | 000302                     | QSC&L  | Attorney's Fees                 | 3110-000 |                    | 20,000.00               | 46,503.02                    |
|                          |                            | 2001 Bryan Street, Suite 1800<br>Dallas, Texas 75201   | Per Order 7/27/04               |          |                    |                         |                              |
| 07/30/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 5.46               |                         | 46,508.48                    |
| 08/31/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 3.95               |                         | 46,512.43                    |
| 09/30/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 3.81               |                         | 46,516.24                    |
| 10/29/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 3.94               |                         | 46,520.18                    |
| 11/30/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 3.82               |                         | 46,524.00                    |
| 12/31/04                 | INT                        | BANK OF AMERICA, N.A.  | Interest Rate 0.100             | 1270-000 | 3.94               |                         | 46,527.94                    |
| 01/03/05                 | INT                        | BANK OF AMERICA, N.A.  | INTEREST REC'D FROM BANK        | 1270-000 | 0.25               |                         | 46,528.19                    |
| 01/03/05                 |                            | Transfer to Acct #*****4846  | Final Posting Transfer          | 9999-000 |                    | 46,528.19               | 0.00                         |

Page Subtotals

25,080.62

66,528.19

FORM 2  
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 02-44062 BTR  
Case Name: TALLEY, C L  
TALLEY, R M  
Taxpayer ID No: \*\*\*\*\*2376  
For Period Ending: 01/03/05

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF AMERICA, N.A.  
Account Number: \*\*\*\*\*9801 BofA - Money Market Account  
  
Blanket Bond (per case limit): \$ 300,000.00  
Separate Bond (if applicable):

| 1                | 2                  | 3                       | 4                          | 5   | 6             | 7                    |
|------------------|--------------------|-------------------------|----------------------------|-----|---------------|----------------------|
| Transaction Date | Check or Reference | Paid To / Received From | Description Of Transaction | UTC | Deposits (\$) | Disbursements (\$)   |
|                  |                    |                         |                            |     |               | Account Balance (\$) |

|                           |           |           |      |
|---------------------------|-----------|-----------|------|
| COLUMN TOTALS             | 66,798.82 | 66,798.82 | 0.00 |
| Less: Bank Transfers      |           | 46,528.19 |      |
| Subtotal                  | 66,798.82 | 20,270.63 |      |
| Less: Payments to Debtors |           | 0.00      |      |
| Net                       | 66,798.82 | 20,270.63 | 0.00 |

## ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

|                    |             |     |
|--------------------|-------------|-----|
| Case No:           | 02-44062    | BTR |
| Case Name:         | TALLEY, C L |     |
|                    | TALLEY, R M |     |
| Taxpayer ID No:    | *****2376   |     |
| For Period Ending: | 01/03/05    |     |

Trustee Name: CHRISTOPHER J. MOSER  
Bank Name: BANK OF AMERICA, N.A.  
Account Number: \*\*\*\*\*4846 BofA - Checking Account

|                                |               |
|--------------------------------|---------------|
| Blanket Bond (per case limit): | \$ 300,000.00 |
| Separate Bond (if applicable): |               |

| 1                | 2                  | 3                             | 4                                       | 5        | 6             | 7                  |
|------------------|--------------------|-------------------------------|---|----------|---------------|--------------------|
| Transaction Date | Check or Reference | Paid To / Received From       | Description Of Transaction              | UTC      | Deposits (\$) | Disbursements (\$) |
| 01/03/05         |                    | Transfer from Acct #*****9801 | Transfer In From MMA Account            | 9999-000 | 46,528.19     |                    |
|                  |                    |                               | COLUMN TOTALS                           |          | 46,528.19     | 0.00               |
|                  |                    |                               | Less: Bank Transfers                    |          | 46,528.19     | 0.00               |
|                  |                    |                               | Subtotal                                |          | 0.00          | 0.00               |
|                  |                    |                               | Less: Payments to Debtors               |          | 0.00          | 0.00               |
|                  |                    |                               | Net                                     |          | 0.00          | 0.00               |
|                  |                    |                               | TOTAL - ALL ACCOUNTS                    |          | NET           | ACCOUNT            |
|                  |                    |                               | BofA - Money Market Account - *****9801 |          | NET DEPOSITS  | BALANCE            |
|                  |                    |                               | BofA - Checking Account - *****4846     |          | 66,798.82     | 0.00               |
|                  |                    |                               |   |          | 0.00          | 46,528.19          |
|                  |                    |                               |   |          | 66,798.82     | 46,528.19          |
|                  |                    |                               |   |          | 20,270.63     |                    |

Page Subtotals

0.00

46,528.19

**SCHEDULE B**

**C. L. Talley & R. M. Talley 02-44062**

**TRUSTEE COMPENSATION:**

|   |             |            |
|---|-------------|------------|
| Total Receipts =                                | \$66,798.82 |            |
| 25% of first \$5,000.00 =                       |             | \$1,250.00 |
| 10% over \$5,000.00 &<br>under \$50,000.00 =    |             | \$4,500.00 |
| 5% over \$50,000.00 &<br>under \$1,000,000.00 = |             | \$839.94   |
| 3% over \$1,000,000.00 =                        |             | \$0.00     |
| Total Trustee Fees =                            |             | \$6,589.94 |

**UNREIMBURSED EXPENSES: (SEE EXHIBIT "A")**

|                 |             |
|-----------------|-------------|
| Paralegal Time  | 456.00      |
| Copies          | 0.00        |
| Postage         | 4.81        |
| Secretarial     | 7.50        |
| Certified Order | 0.00        |
| Certified Mail  | 0.00        |
| Travel          | 0.00        |
| Federal Express | 0.00        |
| Recording Fees  | 0.00        |
| Premium on Bond | <u>0.00</u> |

**TOTAL UNREIMBURSED EXPENSES = 468.31**

**RECORDS:**

Trustee did not take possession of business or personal records of debtor.

Trustee did take possession of business or personal records of debtor. The records have been returned to the debtors.

Notice given to debtor on \_\_\_\_\_ to pick up business or personal records in hands of Trustee. If not picked up within 30 days such records or work files may be destroyed.

**Exhibit "A"  
Expenses**

**Paralegal Time:**

Preparation of Deposits (13) & Checks (2)  
Request Bar Date  
Reconcile Bank Balance  
Trustee's Final Report  
Distribution Checks  
Trustee's Final Account

| <u>Time</u> | <u>Expense at<br/>\$30 / hr</u> | <u>Expense at<br/>\$60 / hr</u> | <u>Total<br/>Expense</u> |
|-------------|---------------------------------|---------------------------------|--------------------------|
| 3.0         | 90.00                           |                                 | 90.00                    |
| 0.2         | 6.00                            |                                 | 6.00                     |
| 3.0         | 90.00                           |                                 | 90.00                    |
| 2.5         |                                 | 150.00                          | 150.00                   |
| 1.0         |                                 | 60.00                           | 60.00                    |
| 1.0         |                                 | 60.00                           | 60.00                    |

**Total Paralegal Time**

**186.00                      270.00                      456.00**

**Copies, Postage & Secretarial:**

Data Entry for Form 1  
Distribution Checks (quantity = 13)

| <u>No. of<br/>Copies</u> | <u>Cost of<br/>Postage</u> | <u>Secretarial<br/>Hours</u> | <u>Certified<br/>Order</u> | <u>Certified<br/>Mail</u> | <u>Travel<br/>Miles</u> |
|--------------------------|----------------------------|------------------------------|----------------------------|---------------------------|-------------------------|
|--------------------------|----------------------------|------------------------------|----------------------------|---------------------------|-------------------------|

0.50

\$4.81

**Column Totals                      0                      4.81                      0.50                      0.00                      0.00**

|                              |                 |
|------------------------------|-----------------|
| Paralegal Time               | 456.00          |
| Copies = \$0.25 each         | 0.00            |
| Postage                      | 4.81            |
| Secretarial @ \$15.00 per hr | 7.50            |
| Certified Order              | 0.00            |
| Certified Mail               | 0.00            |
| Travel \$0.35 per mile       | 0.00            |
| Federal Express              | 0.00            |
| Recording Fees               | 0.00            |
| Premium on Bond              | 0.00            |
| <b>Grand Total =</b>         | <b>\$468.31</b> |



**SCHEDULE C C. L. Talley & R. M. Talley 02-44062**  
**EXPENSES OF ADMINISTRATION**

|   | <u>AMOUNT<br/>CLAIMED</u>   | <u>AMOUNT<br/>PAID</u>  | <u>AMOUNT<br/>DUE</u>  |
|---|---|---|--|
| 1 11 U.S.C. Sec 507(a)(1)<br><u>Court Cost &amp; Fees</u><br>A. Notice & Claim Fees<br>B. Adv. Filing Fees<br>C. Quarterly Chapt 11   |   |   |  |
| 2 11 U.S.C. Sec 503(b)(1)(a)<br><u>Preservation of Estate</u><br>A. Transportation<br>B. Storage<br>C. Wages<br>D. Estates share FICA<br>E. Watchman<br>F. Insurance<br>G. Upkeep<br>H. Advertising<br>I. Expenses in Sale of Real Estate<br>J. Trustee's Bond  | 270.63  | 270.63  |  |
| 3 11 U.S.C. Sec 503(b)(2)<br><u>Post-Petition Taxes<br/>and Related Penalties</u>   |   |   |  |
| 4 11 U.S.C. Sec 503(b)(2)<br><u>Compensation and Reimbursement</u><br>A. Trustee Fees<br>B. Trustee Expenses<br>C. Attorney to Trustee<br>D. Expenses for Attny to Trustee<br>E. Attorney to Debtor<br>F. Expenses for Attny to Debtor<br>G. Auctioneers Fees<br>H. Auctioneers Expenses<br>I. Appraiser<br>J. Accountant Fees<br>K. Accountant Expense | 6,589.94<br>468.31<br>20,000.00<br>0.00<br><br><br>0.00<br>0.00<br><br>2,593.14<br>0.00 | <br><br>20,000.00<br>0.00<br><br><br>0.00<br>0.00<br><br>0.00<br>0.00 | 6,589.94<br>468.31<br>0.00<br>0.00<br><br><br>0.00<br>0.00<br><br>2,593.14<br>0.00 |
| 5 11 U.S.C. Sec 503(b)(3)<br><u>Expenses of Creditors<br/>or Committees</u>   |   |   |  |
| 6 11 U.S.C. Sec 503(b)(4)<br><u>Compensation of Professionals<br/>for Creditors or Committees</u>   |   |   |  |
| 7 Other   |   |   |  |
| TOTAL   | \$29,922.02   | \$20,270.63   | \$9,651.39   |

**SCHEDULE D****C. L. Talley & R. M. Talley 02-44062****PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES  
IN THE FOLLOWING ORDER OF PRIORITY**

|   | (1)<br>Claim<br><u>No.</u> | (2)<br>Amount<br><u>Claimed</u> | (3)<br>Amount<br><u>Allowed</u> | (4)<br>Amount<br><u>Paid</u> | (5)<br>Amount<br><u>Due</u> |
|---|----------------------------|---------------------------------|---------------------------------|------------------------------|-----------------------------|
| 1   |                            |                                 |                                 |                              |                             |
| For Credit Extended<br>Sec 364(e)(1)                            |                            |                                 |                                 |                              |                             |
| 2   |                            |                                 |                                 |                              |                             |
| Claims from Failure of<br>adequate protection<br>Sec. 307(a)(b) |                            |                                 |                                 |                              |                             |
| 3   |                            |                                 |                                 |                              |                             |
| "Gap Claims"<br>Sec. 507(a)(2)                                  |                            |                                 |                                 |                              |                             |
| 4   |                            |                                 |                                 |                              |                             |
| Wages,etc.<br>Sec. 507(a)(3)                                    |                            |                                 |                                 |                              |                             |
| 5   |                            |                                 |                                 |                              |                             |
| Contributions to<br>benefit plans<br>Sec. 507(a)(4)             |                            |                                 |                                 |                              |                             |
| 6   |                            |                                 |                                 |                              |                             |
| Engaged in raising<br>of grain or fisherman<br>Sec. 507(a)(5)   |                            |                                 |                                 |                              |                             |
| 7   |                            |                                 |                                 |                              |                             |
| Consumer Deposits<br>Sec. 507(a)(6)                             |                            |                                 |                                 |                              |                             |
| 8   |                            |                                 |                                 |                              |                             |
| Alimony or Support<br>or Child; Sec. 507(a)(7)                  |                            |                                 |                                 |                              |                             |
| 9   |                            |                                 |                                 |                              |                             |
| Taxes<br>Sec. 507(a)(8)   |                            |                                 |                                 |                              |                             |

**TOTAL ALLOWED PRIORITY CLAIMS:            \$0.00**

**SCHEDULE E      C. L. Talley & R. M. Talley 02-44062**

## SECURED CLAIMS

|            |                 | (1)          | (2)               | (3)            | (4)         | (5)        |
|------------|-----------------|--------------|-------------------|----------------|-------------|------------|
| Claim      |                 | Amount of    | Amount not        | Amount         | Amount      | Amount     |
| <u>No.</u> | <u>Creditor</u> | <u>Claim</u> | <u>Determined</u> | <u>Allowed</u> | <u>Paid</u> | <u>Due</u> |

Total of ALLOWED Secured Claims: \$0.00

Total UNSECURED CLAIMS Allowed: \$204,631.81

## Eastern District of Texas Claims Register

**02-44062 Charles L. Talley and Reba M. Talley**

**Honorable Brenda T. Rhoades**

**Debtor Name: TALLEY, CHARLES L.**

|  |   |   |
|--|---|---|
| <b>Claim No: 1</b>   | Creditor Name: Deere & Company<br>Attn: Julie Adams<br>PO Box 6600<br>Johnston, IA 50131-6600 | Last Date to File Claims:<br>Last Date to File (Govt):<br>Filing Status:<br>Docket Status:<br>Late: N |
| Claim Date:<br>08/08/2002  | Amends Claim No:<br>Amended By Claim No:  | Duplicates Claim No:<br>Duplicated By Claim No:   |
| <b>Class</b>   | <b>Amount Claimed</b>   | <b>Amount Allowed</b>   |
| Secured  | \$39133.91  |   |
| <b>Total</b>   | <b>\$39133.91</b>   |   |
| Description: <span style="font-size: 1.2em; font-family: cursive;">Disallowed</span> |   |   |
| Remarks:   |   |   |

|  |  |   |
|--|--|---|
| <b>Claim No: 2</b>   | Creditor Name: Bank One Texas<br>c/o Reedy Macque Spigner<br>555 Republic Dr., Ste. 101<br>Plano, TX 75074 | Last Date to File Claims:<br>Last Date to File (Govt):<br>Filing Status:<br>Docket Status:<br>Late: N |
| Claim Date:<br>08/12/2002  | Amends Claim No:<br>Amended By Claim No:   | Duplicates Claim No:<br>Duplicated By Claim No:   |
| <b>Class</b>   | <b>Amount Claimed</b>  | <b>Amount Allowed</b>   |
| Secured  | \$35000.00 <span style="font-size: 1.2em; font-family: cursive;">Disallow</span>                           | <span style="font-size: 1.2em; font-family: cursive;">as secured</span>                               |
| <b>Total</b>   | <b>\$35000.00</b>  |   |
| Description: <span style="font-size: 1.2em; font-family: cursive;">Allow as unsecured \$30,000.00</span> |  |   |
| Remarks:   |  |   |

|                           |  |   |
|---------------------------|--|---|
| <b>Claim No: 3</b>        | Creditor Name: First National Bank of Omaha<br>5411-1762-4432 -3291<br>P.O. Box 2951<br>Omaha, NE 68103-2951 | Last Date to File Claims:<br>Last Date to File (Govt):<br>Filing Status:<br>Docket Status:<br>Late: N |
| Claim Date:<br>10/11/2002 | Amends Claim No:<br>Amended By Claim No:   | Duplicates Claim No:<br>Duplicated By Claim No:   |
| <b>Class</b>              | <b>Amount Claimed</b>  | <b>Amount Allowed</b>   |
| Unsecured                 | \$13235.91   |   |
| <b>Total</b>              | <b>\$13235.91</b>  |   |
| Description:              |  |   |
| Remarks:                  |  |   |

|                                  |  |  |
|----------------------------------|--|--|
| <b>Claim No: 4</b>               | <i>Creditor Name:</i> Ingram Entertainment<br>c/o Ronnie Horsley<br>323 S. Fannin<br>Tyler, TX 75702 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>10/15/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>   | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>  | <b>Amount Allowed</b>  |
| Unsecured                        | \$4046.59  |  |
| <b>Total</b>                     | <b>\$4046.59</b>   |  |
| <i>Description:</i>              |  |  |
| <i>Remarks:</i>                  |  |  |

|                                  |   |  |
|----------------------------------|---|--|
| <b>Claim No: 5</b>               | <i>Creditor Name:</i> Direct Merchants Credit Card Bank<br>Attention Payment Processing<br>P.O. Box 17660<br>Baltimore, MD 21297-1660 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>10/21/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>  | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>   | <b>Amount Allowed</b>  |
| Unsecured                        | \$769.25  |  |
| <b>Total</b>                     | <b>\$769.25</b>   |  |
| <i>Description:</i>              |   |  |
| <i>Remarks:</i>                  |   |  |

|                                  |  |  |
|----------------------------------|--|--|
| <b>Claim No: 6</b>               | <i>Creditor Name:</i> Discover Bank<br>c/o Discover Financial Services<br>P.O. Box 8003<br>Hilliard OH 43026 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>10/21/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>   | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>  | <b>Amount Allowed</b>  |
| Unsecured                        | \$1978.40  |  |
| <b>Total</b>                     | <b>\$1978.40</b>   |  |
| <i>Description:</i>              |  |  |
| <i>Remarks:</i>                  |  |  |

|                    |   |  |
|--------------------|---|--|
| <b>Claim No: 7</b> | <i>Creditor Name:</i> Chase Bankcard<br>150 W University Dr<br>Tempe AZ 85281 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
|--------------------|---|--|

|                                  |  |   |
|----------------------------------|--|---|
| <i>Claim Date:</i><br>10/16/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i> | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i> |
| <b>Class</b>                     | <b>Amount Claimed</b>                                  | <b>Amount Allowed</b>   |
| Unsecured                        | \$1288.02  |   |
| <b>Total</b>                     | <b>\$1288.02</b>                                       |   |
| <i>Description:</i>              |  |   |
| <i>Remarks:</i>                  |  |   |

|                                  |   |  |
|----------------------------------|---|--|
| <b>Claim No: 8</b>               | <i>Creditor Name:</i> American Express Travel<br>P O Box 3001<br>Malvern PA 19355 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>10/28/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>                            | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>   | <b>Amount Allowed</b>  |
| Unsecured                        | \$9213.31   |  |
| <b>Total</b>                     | <b>\$9213.31</b>  |  |
| <i>Description:</i>              |   |  |
| <i>Remarks:</i>                  |   |  |

|                                  |   |  |
|----------------------------------|---|--|
| <b>Claim No: 9</b>               | <i>Creditor Name:</i> American Express Centurion Bank<br>P O Box 3001<br>Malvern PA 19355 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>10/28/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>                                    | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>   | <b>Amount Allowed</b>  |
| Unsecured                        | \$11089.66  |  |
| <b>Total</b>                     | <b>\$11089.66</b>   |  |
| <i>Description:</i>              |   |  |
| <i>Remarks:</i>                  |   |  |

|                                  |   |  |
|----------------------------------|---|--|
| <b>Claim No: 10</b>              | <i>Creditor Name:</i> Exxon<br>c/o GE Capital<br>P O Box 103104<br>Roswell GA 30076 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>10/28/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>                              | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>   | <b>Amount Allowed</b>  |
| Unsecured                        | \$265.38  |  |
|                                  |   |  |

|                     |                 |  |
|---------------------|-----------------|--|
| <b>Total</b>        | <b>\$265.38</b> |  |
| <i>Description:</i> |                 |  |
| <i>Remarks:</i>     |                 |  |

|                                  |  |  |
|----------------------------------|--|--|
| <b>Claim No: 11</b>              | <i>Creditor Name:</i> Capital One Bank<br>P O Box 85167<br>Richmond VA 23285 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>12/17/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>                       | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>  | <b>Amount Allowed</b>  |
| Unsecured                        | \$407.18   |  |
| <b>Total</b>                     | <b>\$407.18</b>  |  |
| <i>Description:</i>              |  |  |
| <i>Remarks:</i>                  |  |  |

|                                  |  |  |
|----------------------------------|--|--|
| <b>Claim No: 12</b>              | <i>Creditor Name:</i> Citibank<br>P O Box 6305<br>The Lakes NV 88901 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>12/23/2002 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>               | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>  | <b>Amount Allowed</b>  |
| Unsecured                        | \$6787.31  |  |
| <b>Total</b>                     | <b>\$6787.31</b>   |  |
| <i>Description:</i>              |  |  |
| <i>Remarks:</i>                  |  |  |

|                                  |   |  |
|----------------------------------|---|--|
| <b>Claim No: 13</b>              | <i>Creditor Name:</i> Armet Dale Street Limited Partnership<br>c/o Keving G. Herd<br>777 Main Street, Ste. 1360<br>Fort Worth, TX 76102 | <i>Last Date to File Claims:</i><br><i>Last Date to File (Govt):</i><br><i>Filing Status:</i><br><i>Docket Status:</i><br><i>Late:</i> N |
| <i>Claim Date:</i><br>10/03/2003 | <i>Amends Claim No:</i><br><i>Amended By Claim No:</i>  | <i>Duplicates Claim No:</i><br><i>Duplicated By Claim No:</i>  |
| <b>Class</b>                     | <b>Amount Claimed</b>   | <b>Amount Allowed</b>  |
| Unsecured                        | \$125550.80   |  |
| <b>Total</b>                     | <b>\$125550.80</b>  |  |
| <i>Description:</i>              |   |  |
| <i>Remarks:</i>                  |   |  |

### Claims Register Summary

**Case Name:** Charles L. Talley and Reba M. Talley

**Case Number:** 2002-44062

**Chapter:** 7

**Date Filed:** 07/22/2002

**Total Number Of Claims:** 13

|                | Total Amount Claimed | Total Amount Allowed |
|----------------|----------------------|----------------------|
| Unsecured      | \$174631.81          |                      |
| Secured        | \$74133.91           |                      |
| Priority       |                      |                      |
| Unknown        |                      |                      |
| Administrative |                      |                      |
| <b>Total</b>   | <b>\$248765.72</b>   |                      |

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| PACER Service Center   |                 |                         |  |
|------------------------|-----------------|-------------------------|--|
| Transaction Receipt    |                 |                         |  |
| 01/03/2005 14:14:52    |                 |                         |  |
| <b>PACER Login:</b>    | cm1174          | <b>Client Code:</b>     |  |
| <b>Description:</b>    | Claims Register | <b>Search Criteria:</b> | 02-44062 Filed or Entered<br>From: 1/3/2001 Filed or<br>Entered To: 1/3/2005 |
| <b>Billable Pages:</b> | 1               | <b>Cost:</b>            | 0.08   |

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

|                  |   |                   |
|------------------|---|-------------------|
| IN RE:           | § |                   |
|                  | § | CASE NO. 02-44062 |
| C. L. TALLEY AND | § | (Chapter 7)       |
| R.M. TALLEY      | § |                   |
|                  | § |                   |
| DEBTOR(S)        | § |                   |

**TRUSTEE'S REPORT OF  
PROPOSED FINAL DISTRIBUTIONS**

The undersigned trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all applications for compensation, and all other matters which must be determined by the Court before final distribution can be made.

2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution upon certification by the U.S. Trustee unless written objection thereto is filed and served on the trustee and on the U.S. Trustee.

|   |             |             |
|---|-------------|-------------|
| 1 Balance on hand   |             | \$46,528.19 |
| 2 Administrative Expenses<br>to be paid (see attached<br>schedule of payees<br>and amounts)                             | \$9,651.39  |             |
| 3 Priority Claims to be paid<br>(see attached schedule of<br>payees and amounts)  | \$0.00      |             |
| 4 Secured Claims to be<br>paid (see attached<br>schedule of payees<br>and amounts)                                      | \$0.00      |             |
| 5 Unsecured Claims to<br>be paid (see attached<br>schedule of payees<br>and amounts)                                    | \$36,876.80 |             |
| 6 Miscellaneous<br>distributions to be<br>paid (see attached<br>schedule of payees<br>and amounts)<br>Surplus to Debtor |             |             |
| 7 Total Distributions to<br>be made.  | \$46,528.19 |             |
| 8 Zero Balance  |             | \$0.00      |

/s/ Christopher J. Moser  
Christopher J. Moser  
2001 Bryan Street, Suite 1800  
Dallas, Texas 75201

# PROPOSED DISTRIBUTION

Case Number: 02-44062     BTR  
Debtor Name: TALLEY, C L \ TALLEY, R M

Page 1

Date: January 3, 2005

| Claim #  | Payee Name                                | Class | Priority | Amt Claimed *<br>Amt Allowed | Paid to Date | Claim Balance | Proposed Pymt | Funds Remaining |
|--|---|-------|----------|------------------------------|--------------|---------------|---------------|-----------------|
| Beginning Balance                                |   |       |          |                              |              |               |               | \$46,528.19     |
| <b>Claim Type -</b>                              |   |       |          |                              |              |               |               |                 |
|  | CHRISTOPHER J. MOSER<br>COMPENSATION      | Admin |          | \$6,589.94 *<br>\$6,589.94   | \$0.00       | \$6,589.94    | \$6,589.94    | \$39,938.25     |
|  |   |       |          | Percent Paid: 100.0000 %     |              |               |               |                 |
|  | CHRISTOPHER J. MOSER<br>EXPENSES          | Admin |          | \$468.31 *<br>\$468.31       | \$0.00       | \$468.31      | \$468.31      | \$39,469.94     |
|  |   |       |          | Percent Paid: 100.0000 %     |              |               |               |                 |
| <b>Subtotal For Claim Type</b>                   |   |       |          | \$7,058.25 *<br>\$7,058.25   | \$0.00       | \$7,058.25    | \$7,058.25    |                 |
| <b>Claim Type 223 - Trustee's Acct. Fees</b>     |   |       |          |                              |              |               |               |                 |
|  | Litzler, Segner, Shaw, &<br>McKenney, LLP | Admin | 221      | \$2,593.14 *<br>\$2,593.14   | \$0.00       | \$2,593.14    | \$2,593.14    | \$36,876.80     |
|  |   |       |          | Percent Paid: 100.0000 %     |              |               |               |                 |
| <b>Subtotal For Claim Type 223</b>               |   |       |          | \$2,593.14 *<br>\$2,593.14   | \$0.00       | \$2,593.14    | \$2,593.14    |                 |
| Subtotals For Class Administrative 100.0000 %    |   |       |          | \$9,651.39 *<br>\$9,651.39   | \$0.00       | \$9,651.39    | \$9,651.39    |                 |
| <b>Claim Type 400 - General Unsecured Claims</b> |   |       |          |                              |              |               |               |                 |
| 000002   | Bank One Texas                            | Unsec | 400      | \$35,000.00 *<br>\$30,000.00 | \$0.00       | \$30,000.00   | \$5,406.31    | \$31,470.49     |
|  |   |       |          | Percent Paid: 18.0210 %      |              |               |               |                 |
| 000003   | First National Bank of Omaha              | Unsec | 400      | \$13,235.91 *<br>\$13,235.91 | \$0.00       | \$13,235.91   | \$2,385.25    | \$29,085.24     |
|  |   |       |          | Percent Paid: 18.0211 %      |              |               |               |                 |
| 000004   | Ingram Entertainment                      | Unsec | 400      | \$4,046.59 *<br>\$4,046.59   | \$0.00       | \$4,046.59    | \$729.24      | \$28,356.00     |
|  |   |       |          | Percent Paid: 18.0211 %      |              |               |               |                 |
| 000005   | Direct Merchants Credit Card<br>Bank      | Unsec | 400      | \$769.25 *<br>\$769.25       | \$0.00       | \$769.25      | \$138.63      | \$28,217.37     |
|  |   |       |          | Percent Paid: 18.0214 %      |              |               |               |                 |
| 000006   | Discover Bank                             | Unsec | 400      | \$1,978.40 *<br>\$1,978.40   | \$0.00       | \$1,978.40    | \$356.53      | \$27,860.84     |
|  |   |       |          | Percent Paid: 18.0211 %      |              |               |               |                 |
| 000007   | Chase Bankcard                            | Unsec | 400      | \$1,288.02 *<br>\$1,288.02   | \$0.00       | \$1,288.02    | \$232.11      | \$27,628.73     |
|  |   |       |          | Percent Paid: 18.0207 %      |              |               |               |                 |

# PROPOSED DISTRIBUTION

Case Number: 02-44062     BTR  
Debtor Name: TALLEY, C L \ TALLEY, R M

Page 2

Date: January 3, 2005

| Claim #  | Payee Name                            | Class | Priority | Amt Claimed *<br>Amt Allowed   | Paid to Date | Claim Balance | Proposed Pymt | Funds Remaining |
|--|---------------------------------------|-------|----------|--------------------------------|--------------|---------------|---------------|-----------------|
| <b>Claim Type 400 - General Unsecured Claims</b> |                                       |       |          |                                |              |               |               |                 |
| 000008   | American Express Travel               | Unsec | 400      | \$9,213.31 *<br>\$9,213.31     | \$0.00       | \$9,213.31    | \$1,660.34    | \$25,968.39     |
|  |                                       |       |          | Percent Paid: 18.0211 %        |              |               |               |                 |
| 000009   | American Express Centurion Bank       | Unsec | 400      | \$11,089.66 *<br>\$11,089.66   | \$0.00       | \$11,089.66   | \$1,998.47    | \$23,969.92     |
|  |                                       |       |          | Percent Paid: 18.0210 %        |              |               |               |                 |
| 000010   | Exxon                                 | Unsec | 400      | \$265.38 *<br>\$265.38         | \$0.00       | \$265.38      | \$47.82       | \$23,922.10     |
|  |                                       |       |          | Percent Paid: 18.0194 %        |              |               |               |                 |
| 000011   | Capital One Bank                      | Unsec | 400      | \$407.18 *<br>\$407.18         | \$0.00       | \$407.18      | \$73.38       | \$23,848.72     |
|  |                                       |       |          | Percent Paid: 18.0215 %        |              |               |               |                 |
| 000012   | Citibank                              | Unsec | 400      | \$6,787.31 *<br>\$6,787.31     | \$0.00       | \$6,787.31    | \$1,223.14    | \$22,625.58     |
|  |                                       |       |          | Percent Paid: 18.0210 %        |              |               |               |                 |
| 000013   | Armet Dale Street Limited Partnership | Unsec | 400      | \$125,550.80 *<br>\$125,550.80 | \$0.00       | \$125,550.80  | \$22,625.58   | \$0.00          |
|  |                                       |       |          | Percent Paid: 18.0211 %        |              |               |               |                 |
| <b>Subtotal For Claim Type 400</b>               |                                       |       |          | \$209,631.81 *<br>\$204,631.81 | \$0.00       | \$204,631.81  | \$36,876.80   |                 |
| Subtotals For Class Unsecured     18.0210 %      |                                       |       |          | \$209,631.81 *<br>\$204,631.81 | \$0.00       | \$204,631.81  | \$36,876.80   |                 |
| << Totals >>                                     |                                       |       |          | \$219,283.20<br>\$214,283.20   | \$0.00       | \$214,283.20  | \$46,528.19   | \$0.00          |

Proposed distribution is dependent on the Court's rulings on administrative expenses, contest of claims, and/or objections made to this proposed distribution.

## TRUSTEE LOG

| DATE     | DESCRIPTION  | HOURS |
|----------|--|-------|
| 9/08/02  | Reviewed Schedules   | .3    |
| 9/13/02  | Conducted Meeting of Creditors   | .4    |
| 9/26/02  | Telephone call to Debtors' counsel requesting a copy of Debtors' contract for deed   | .2    |
| 9/26/02  | Telephone call with Robert Tharp regarding turnover of proceeds from contract for deed   | .2    |
| 9/30/02  | Calendared Proof of Claim Bar Date   | .1    |
| 10/04/02 | Telephone call to Mrs. Melton regarding contract for deed payments and effect of Talley's bankruptcy case  | .3    |
| 10/12/02 | Letter to Debtors' counsel requesting turnover of documents and payments   | .4    |
| 10/14/02 | Telephone call to Bank One to request closing documents on home equity loan (.4); reviewed documents emailed by Bank One (.5)  | .9    |
| 10/15/02 | Prepared Motion and Order Postponing Discharge   | 1.2   |
| 10/17/02 | Reviewed Bank One's motion to lift stay (.1); Telephone conference with counsel for Bank One regarding motion (.2)   | .3    |
| 10/21/02 | Telephone conference with Robert Tharp regarding value of mortgage note (.3); Telephone conference with counsel for Bank One regarding settling motion to lift stay (.2)                                     | .5    |
| 11/26/02 | Reviewed settlement offer from Debtors   | .2    |
| 11/27/02 | Telephone conference with Mrs. Melton regarding unpaid contract for deed payments  |       |
| 12/05/02 | Telephone conference with Lori Jackson of American National Bank regarding Mrs. Melton's attempt to refinance the debt owed to the estate (.2); Telephone conference with Sherry Melton concerning same (.2) | .2    |
| 12/10/02 | Telephone conference with Sherry Melton regarding unpaid mortgage payments owed to the estate  | .2    |

|          |  |     |
|----------|--|-----|
| 12/11/02 | Telephone conference with Sherry Melton regarding intent to sell mortgage note (.3); Telephone conference with several mortgage note buyers regarding estate's mortgage note (.4)  | .7  |
| 12/14/02 | Telephone conference with Bob Buss regarding details of estate's mortgage note   | .3  |
| 12/26/02 | Telephone conference with Bob Buss to negotiate a price for estate's mortgage note   | .3  |
| 12/27/02 | Telephone conference with Charlie Sebesta regarding specifics of estate's mortgage note  | .3  |
| 1/06/03  | Telephone conference with Sherry Melton regarding unpaid mortgage payments   | .2  |
| 1/15/03  | Reviewed claims  | .4  |
| 2/03/03  | Telephone conference with North Texas Title regarding ownership of unscheduled real estate titled in Debtors' name (.5); Telephone conference with Lisa Lambert regarding possible title 18 issues (.3); Telephone conference with Towers of Texas regarding monies owed to the estate and problems with a post-petition lease signed by Debtors (.4) Reviewed Tower Lease Option Agreement signed by the Debtors without authority (.4) | 1.6 |
| 2/05/03  | Telephone conference with Texas Towers regarding entering into a Tower Lease Agreement (.2); Telephone conference with Sherry Melton regarding sale of note and place to make future payments (.2)   | .4  |
| 2/06/03  | Telephone conference with buyer of mortgage note regarding prorating latest mortgage payment   | .4  |
| 2/11/03  | Detailed letter to Lisa Lambert regarding unscheduled real estate (1.2); Letter to Debtors' counsel requesting original mortgage note (.2)   | 1.4 |
| 3/05/03  | Letter to Lisa Lambert to provide additional documents relating to unscheduled property  | .4  |
| 3/13/03  | Telephone conference with Mrs. Ruiz regarding Trustee's ownership of land upon which she is paying rent (.3); Letter concerning same (.4)  | .7  |
| 3/21/03  | Telephone conference with Mrs. Ruiz regarding need   |     |

|          |  |              |
|----------|--|--------------|
|          | to make rent payments to the estate  | .2           |
| 3/24/03  | Met with Mr. and Mrs. Ruiz to discuss problems with recent sale of unscheduled property  | .7           |
| 4/01/03  | Reviewed letter from Debtors' counsel regarding missing bank statements (.1); Reviewed bank statements (.3)  | .4           |
| 12/08/03 | Telephone conference with Mrs. Talley regarding sale of property of the estate and exemption order   | .4           |
| 1/26/04  | Telephone conference with Mrs. Talley regarding upcoming hearing on motion to sell property  | .3           |
| 1/28/04  | Met with Chuck Baum to discuss details of upcoming sale and closing of unscheduled property  | .4           |
| 3/26/03  | Telephone conference with Mrs. Talley regarding sale of property (.2); Telephone conference with Kevin Herd regarding closing real estate transaction (.2) | .4           |
| 4/01/04  | Telephone conference with Jennifer Riley regarding allowance of late filed proof of claim  | .3           |
| 5/14/04  | Telephone conference with Kevin Herd regarding payment of sale proceeds to the estate.   | .2           |
| 5/18/04  | Telephone conference with Kevin Herd regarding his client's failure to pay sale proceeds to the estate.  | .2           |
| 5/24/04  | Telephone conference with Bruce Badger regarding Mitchell Mortgage's claim to homestead and need to annul the stay.  | .4           |
| 6/1/04   | Telephone conference with Gary Habner regarding closing the real estate transaction.   | .2           |
| 6/1/04   | Letter to title company regarding how to insure title.   | .3           |
| 6/17/04  | Reviewed fee application.  | .4           |
|          | <b>TOTAL</b>   | <b>24 .8</b> |

### EXHIBIT "C"